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June 7, 2007

### BRISTOL BAY FISHERMEN

The request by the Bristol Bay Driftnetters' Association and the Bristol Bay Economic Development Corporation for an exemption from the 406 MHz EPIRB requirements in 46 CFR 28.150 has been reviewed. After careful consideration and discussion with Coast Guard Sector Anchorage, the request to allow substitution of an internal GPS enabled Personal Locator Beacon (PLB) in lieu of a Category 2, 406 MHz EPIRB is approved subject to the conditions outlined below.

The authority for granting exemptions from commercial fishing vessel safety regulations is contained in 46 CFR 28.60 and 46 CFR 25.26-60. Exemptions are permitted when good cause exists and the safety of the vessel and those on board will not be adversely affected. I find both criteria are met in this case. The exemption is granted with the following conditions:

- a. This exemption applies only to commercial fishing vessels of 32 feet in length or less.
- b. Operations are limited to those areas of Bristol Bay, Alaska between Cape Menshikof at the southern-most part of Ugashik Bay and Point Peirce at the western-most part of Togiak Bay, and within 12 miles of the coastline. Note: commercial fishing vessels operating within three miles off shore in this area are already pre-empted by 46 CFR 25.26-5 from EPIRB carriage requirements.
- c. This exemption is valid for the period between April 15 and September 15 each year.
- d. The PLB must be a model equipped with an internal GPS, and the unit must be securely attached to, and stowed with, the master or operator's survival suit. The means of attaching the PLB to the survival suit must not interfere with proper donning of the suit. The survival suit's bag must be clearly marked as containing a Personal Locator Beacon.
- e. The PLB must be currently registered with NOAA. This registration will include a current fishing season trip plan, the vessel's name, and official number or AK state registration number. A copy of the registration form must be maintained on board.
- f. The master or operator of the vessel must conduct a safety orientation with crewmembers prior to getting underway on that crewmember's first voyage, including the location & operation of the PLB.
- g. Operable radio equipment that is capable of communicating with other vessels and shore stations in the vicinity must be maintained on board each vessel, tested each morning prior to getting underway and monitored at all times.
- h. Each vessel must comply with all other requirements contained in Title 46 CFR Part 28. To ensure compliance, each vessel wishing to take advantage of this exemption must complete a Coast Guard dockside examination and receive a Coast Guard Commercial Fishing Vessel Safety Examination Decal every two years.
- i. A copy of this exemption letter must be carried on board the vessels at all times and made available to Coast Guard boarding officers and dockside examiners.

This exemption will be evaluated annually to ensure there are no adverse effects on the safety of the fleet. I look forward to working closely with your organization with the common goal of ensuring the safety of the commercial fishing fleet.

If you feel the provisions of this exemption are too restrictive you may appeal this decision in writing.

Sincerely,

A handwritten signature in black ink, appearing to read "K. M. Lawrenson".

K. M. LAWRENSON  
Commercial Fishing Vessel Safety Coordinator  
U.S. Coast Guard  
By direction